

REMARKS

Claims 22-40 were presented and examined. In response to the Office Action, Claims 22, 27, 31, and 37 are amended, and no claims are cancelled or added. Reconsideration of the pending claims is respectfully requested in view of the above amendments and the following remarks.

I. Rejections under 35 U.S.C. § 103

Claims 22-40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,574,423 issued to Oshima et al. ("Oshima") in view of U.S. Patent No. 6,760,918 issued to issued to Rodriguez ("Rodriguez") and U.S. Patent No. 7,035,453 issued to Liu ("Liu").

With respect to claim 22, this claim has been amended to recite "the display mode is selected from a plurality of display modes including a two-dimensional video display mode, a stereoscopic three-dimensional video display mode, and a multiview three dimensional video display mode." These amendments are supported, for example, by page 17, lines 1 and 2 of the Specification as filed. The Applicants submit that the combination of Oshima, Rodriguez and Liu fails to disclose these elements of amended claim 22.

In rejecting claim 22, the Examiner relies on Oshima and Rodriguez to disclose including a display mode selected by a user in a multiplexed stream. See Final Office Action, Pages 3 and 4. Specifically, the Examiner cites the stereoscopic identifier of Figure 13 of Oshima as being analogous to the display discrimination information and as a result the display mode of claim 22. See id. The stereoscopic identifier of Oshima notes when stereoscopic data is present in a stream. See Oshima, Figure 13 and column 8, line 57 through column 9, line 18. However, the stereoscopic identifier is a binary value that only allows the designation of two values (*i.e.* the presence or absence of stereoscopic data). In contrast, the display mode of amended claim 22 is selected from at least three modes (*i.e.* a two-dimensional video display mode, a stereoscopic three-dimensional video display mode, and a multiview three dimensional video display mode) and accordingly adds more granularity in indicating the type of display mode. Thus, the stereoscopic identifier of Oshima is not analogous to the display mode of amended claim 22.

The Examiner also cites Rodriguez to disclose including a display mode in a packetized elementary stream. In particular, the Examiner cites Figure 3 and paragraphs 50, 51, and 58 of Rodriguez to allegedly disclose these elements. See Final Office Action, Pages 3 and 4.

Although Rodriguez does not use paragraph numbers to divide sections, the Appellants submit that the Examiner is referring to column 7, line 66 through column 9, line 61 of Rodriguez. These sections of Rodriguez disclose a system for allowing a user selecting video-on-demand (VOD) and delivering the selected VOD to a modulator for display on a user's screen. See Rodriguez, column 7, line 66 through column 9, line 61. However, Rodriguez does not disclose allowing a user select a display mode for the selected VOD and including this selected mode in a stream as recited in claim 22, because Rodriguez does not discuss different display modes. Further, Rodriguez does not discuss including anything other than the actual VOD in the stream delivered to the user's modulator. Thus, the Applicants submit that Rodriguez fails to disclose the display mode indicator of claim 22.

By including a selected display mode with three or more possible values as recited in amended claim 22, a single channel elementary stream may be variably transferred depending on the selected display mode. Accordingly, multiplexing is performed to transfer only the necessary elementary streams for the individual selected display mode. By failing to disclose "the display mode is selected from a plurality of display modes including a two-dimensional video display mode, a stereoscopic three-dimensional video display mode, and a multiview three dimensional video display mode" Oshima and Rodriguez fails to disclose each element of amended claim 22. Further, after reviewing Liu, the Applicants have been unable to locate any sections therein which cure the deficiencies of Oshima and Rodriguez. Thus, the combination of Oshima, Rodriguez, and Liu fail to disclose each element of amended claim 22 and cannot maintain a rejection under 35 U.S.C. § 103. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of claim 22 on this basis.

In regards to claims 27, 31, and 37, these claims include elements analogous to those of claim 22. For at least the reasons discussed above in relation to claim 22, the combination of Oshima, Rodriguez, and Liu fails to disclose these elements of claims 27, 31, and 37. Thus, the combination of Oshima, Rodriguez, and Liu fail to disclose each element of claims 27, 31, and 37 and cannot maintain a rejection under 35 U.S.C. § 103. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of claims 27, 31, and 37 on this basis.

In regards to claims 23-26, 28-30, 32-36, and 38-40, these claims depend from independent claim 22, 27, 31, and 37, respectively, incorporate the limitations thereof. The

Examiner's argument assumes that the combination of Oshima, Rodriguez, and Liu discloses all elements of claims 22, 27, 31, and 37 which are incorporated in dependent claims 2-6 and 11. However, as discussed above, the combination of Oshima, Rodriguez, and Liu does not disclose all the limitations of claims 22, 27, 31, and 37. Thus, the combination of Oshima, Rodriguez, and Liu fail to disclose each element of claims 23-26, 28-30, 32-36, and 38-40 and cannot maintain a rejection under 35 U.S.C. § 103. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of claims 23-26, 28-30, 32-36, and 38-40 on this basis.

CONCLUSION

In view of the foregoing, it is believed that all claims are now in condition for allowance and such action is earnestly solicited at the earliest possible date. The Commissioner is hereby authorized to charge our Deposit Account No. 02-2666 for any fees due in connection with the filing of this response.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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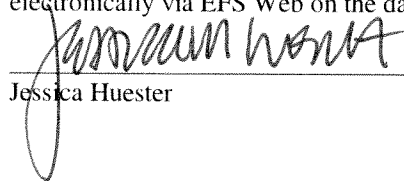
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